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3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
5

6 UNITED STATES OF AMERICA,

CASE NO. CR F 03-5410 LJO

7 Plaintiff,

**ORDER ON EX PARTE REQUEST TO
FILE MOTION FOR NEW TRIAL
(Doc. 245.)**

8 vs.

9 VICTOR VEVEA,

10 Defendant.
11 _____/

12 The request to file the Motion for New Trial is GRANTED, nunc pro tunc to the date the
13 Defendant actually filed the motion (required due to the Court's being out of the Country).

14 The hearing on the motion will take place at the time set for sentencing: 9:00am on Wednesday,
15 February 13, 2008. If the motion is granted, obviously the sentencing will not go forward. If the motion
16 is denied, the sentencing will go forward immediately on that date.

17 Since the motion is limited in scope, both factually and legally, the Government must file their
18 opposition on or before noon on Monday February 11, 2008.

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22 IT IS SO ORDERED.

23 **Dated: February 4, 2008**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE